



Defendant additionally states that it sought to “avoid potentially unnecessary legal fees associated with preparing a motion for summary judgment” by focusing solely on attempting to resolve the case at mediation on October 24, 2023.

The undersigned does not find these arguments to be persuasive.

The Pretrial Order and Case Management Plan was entered on January 11, 2023 following an initial pretrial conference with counsel and gave the parties adequate notice of the pretrial deadlines. Further, one extension of the deadline to file motions has already been provided.

Under these circumstances, the undersigned has closely considered denying the request. However, in the Court’s discretion, the Motion will be granted in part. The parties are advised, though, that they should plan to complete the briefing of any dispositive motions within the timeframes set by the Local Rules and without the extension of the response/reply deadlines, and that no further extensions of the pretrial deadlines will be allowed absent extraordinary circumstances.

**IT IS THEREFORE ORDERED THAT:**

1. The Second Motion to Amend the Pretrial Order and Case Management Plan (Doc. 29) is **GRANTED IN PART**, and the deadline to file motions, if any, is **EXTENDED** through and including November 21, 2023.

2. All other provisions of the Pretrial Order and Case Management Plan  
(Doc. 21), including the March 11, 2024 trial setting, remain in effect.

Signed: October 30, 2023

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

